

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE
7
8

7 UNITED STATES OF AMERICA,
8 ex rel., Girish Parikh,

9 Plaintiffs,

10 v.

11 PREMERA BLUE CROSS,

12 Defendant.

7
8 No. C01-0476MJP
9
10

11 ORDER DENYING AMENDED
12 CONFIDENTIALITY AGREEMENT
13 AND STIPULATED PROTECTIVE
14 ORDER

15 The Court declines to approve the proposed confidentiality agreement and protective order in
16 this matter. (Dkt. No. 63). The Court will not automatically approve stipulated protective orders to
17 authorize documents marked confidential and produced during discovery pursuant to protective
18 orders to be filed under seal without further order of the Court. Paragraph 3(b) on page 7 of the
19 parties' agreement and stipulation violates this principle. "There is a strong presumption of public
20 access to the court's files and records which may be overcome only on a *compelling showing* that the
21 public's right of access is outweighed by the interests of the public and the parties in protecting files,
22 records, or documents from public review." Local Rule CR 5(g)(1) (emphasis added). Parties
23 seeking an order to seal any documents must provide a specific description of particular documents or
24 categories of documents they seek to protect and "*a clear statement of the facts* justifying a seal and
25 overcoming the strong presumption in favor of public access." Local Rule CR 5(g)(2) (emphasis
26 added). The facts supporting any motion to seal must be provided by declaration or affidavit. .

27 Dated this 22nd day of May, 2006.


28 _____
29 Marsha J. Pechman
30 United States District Judge